

Members

Rep. Claire Leuck, Chairperson
Rep. Dan Stevenson
Rep. Robert Alderman
Rep. P. Eric Turner
Sen. Ron Alting
Sen. Robert Jackman
Sen. Rose Antich
Sen. Allie Craycraft



RAIL CORRIDOR SAFETY COMMITTEE

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Authority: P.L. 28-2000

MEETING MINUTES¹

Meeting Date: October 3, 2001
Meeting Time: 1:30 P.M.
Meeting Place: State House, 200 W. Washington St.,
Room 130
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Rep. Claire Leuck, Chairperson; Rep. Dan Stevenson; Rep. Robert Alderman; Sen. Rose Antich.

Members Absent: Rep. P. Eric Turner; Sen. Ron Alting; Sen. Robert Jackman; Sen. Allie Craycraft.

Rep. Leuck convened the meeting at 1:40 p.m.

(1) Closure of railroad crossings.

Mike Scime, Indiana Department of Transportation (INDOT), stated that the easiest way to prevent car-train accidents is to close grade crossings. Mr. Scime indicated that although the state has the authority to close railroad crossings over the objection of local units, the state finds it difficult to do so. INDOT usually negotiates railroad crossing closures, offering

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to install lights and gates at one railroad crossing if a local unit closes other railroad crossings. InDOT averages 6-10 railroad crossing closures per year, a small percentage of Indiana's 3400 passively warned public railroad crossings. In addition, InDOT would also like to close some railroad crossings with active warning signals.

Mike Scime reported the average cost of installing active warning signals is \$150,000 per railroad crossing and that Federal funds pay 100% of this amount. Steve Hull, InDOT, administers the funds used to install lights and gates at railroad crossings. Mr. Hull stated that sometimes the negotiation results in the railroad paying some of the project costs, or the railroad providing a grant to the local unit in return for the local unit closing the railroad crossing. Since federal regulations require InDOT to put the federal funds to the "best use", InDOT uses the funds for projects that will improve the state's accident statistics. Consequently, while closing one railroad crossing in a high traffic area will improve the accident statistics, a low traffic area like Seymour has to close three or four railroad crossings in order to achieve statistical significance.

Mr. Hull explained that Indiana's high railroad crossing accident statistics are the result of Indiana having more railroad crossings and more railroad traffic than most other states. The highest number of car-train accidents in the state occurs in Lake County. Lake County has heavy train traffic and averages 35 to 36 accidents per year. He explained however, that even if Lake County's statistics were removed from the state's statistics, Indiana would still rank in the top 10 for railroad crossing accidents because of state's large number of railroad crossings. He indicated that it is part of InDOT's annual analysis of which railroad crossings to improve to identify the railroad crossings with the highest risk. Mr. Hull explained that the \$150,000 cost to install lights and gates at a railroad crossing is the average cost. In reality, the costs can vary from \$80,000 to \$90,000 for a simple railroad crossing up to \$500,000. If surface work is involved, the cost of the railroad crossing can double. He added that over 60% of accidents in Indiana occur at railroad crossings where there are lights and gates.

Tanya Galbraith, Indiana Association of Cities and Towns, stated that when a local unit closes a railroad crossing, the effect it has on the convenience of people's lives is a reality and not just a perception. She introduced Mayor John Burkhart, of Seymour, Indiana who supported Ms. Galbraith's statement that free access is important to people. He explained that it is difficult for a local official to close a railroad crossing in the face of strong opposition from residents. Seymour is currently closing three railroad crossings and opening a new railroad crossing. The city worked with InDOT to get federal funds to build the new railroad crossing, which cost \$200,000-\$300,000. He remarked that when high speed rail is a reality, tracks will have to be buried, elevated, or the railroad crossings closed, because high speed rail cannot operate safely with railroad grade crossings.

Bill Verdeyen, Brotherhood of Locomotive Engineers, stated that one problem facing engineers is finding rail space to park a train in, particularly near some of the smaller municipalities. He explained that on one occasion, approximately 35 trains waited in line. at one railroad crossing near Chicago, He believes closing railroad crossings may help this situation. He also supports the installation of median barriers because it removes the option of motorists to go around the gates at railroad crossings.

(2) Installation of median barriers at railroad crossings.

Mike Scime, InDOT reported the cost of installing median barriers is approximately \$15,000 per crossing. There is no standard length for a median barrier, but InDOT follows the Federal Railroad Administration's recommendation that the barriers be 100 feet long. One problem with median barriers is that if there is an adjacent driveway, people exiting the driveway are blocked from crossing the nearest lane to turn onto the far lane of the road.

An additional problem is that some roads are not wide enough after the median barrier is installed requiring InDOT to widen the road. Steve Hull explained that federal money can be used for the installation of barriers, but this takes away money that could be used for installing lights and gates at passive railroad crossings. Mike Scime added that median barriers are an eligible cost for the state railroad grade crossing improvement fund.

(3) Short line railroads

Bob Garner, Kankakee and Southern Railroad, Indiana Rail Transportation Group, described the ongoing problem of short line railroads in finding funds for track rehabilitation. The early efforts of InDOT involved improving the condition of "excepted track", which is the poorest condition of railroad track. In 1997, short lines needed \$14.7 million for track rehabilitation. The trend on the part of customers is to carry heavier cars to move freight. The track conditions for the smaller carriers are not sufficient to carry these heavier cars. If this track is not improved, the result will be that customers will take their business to the larger carriers. The \$14.7 million figure does not include the funds needed to make the track suitable for heavier cars.

Cathy Hale, Madison Railroad, Indiana Rail Transportation Group, presented the Committee with a brochure. (A copy of the brochure is available at the Legislative Information Center. See footnote 1.) She explained that maintaining track is a public safety issue since operating on excepted track can result in derailment. Track maintenance enables short lines to provide customer service, which prevents more rail abandonments and less corridors available for high speed rail. Madison Railroad improved its track using funds from four grants rolled into one project through the Indiana Department of Transportation. Now all of Madison Railroad's track has been improved so that it is no longer excepted track.

On the issue of funding short line railroad improvements, Larry Good, InDOT, explained that the Madison project was an unusual project because it met the historic as well as the rail preservation criteria for federal grants. The Madison Railroad received a Federal Department of Commerce grant of \$1 million, Federal Transportation Enhancement funds and match money for the federal grants from the state Industrial Rail Service Fund. He stated that many short line railroads benefit from the Industrial Rail Service Fund. About \$1.5 million per year is generated for the fund from a percentage of the state sales tax. Mike Scime distributed a chart showing the grants and loans from the Industrial Rail Service Fund. (A copy of the chart is available at the Legislative Information Center. See footnote 1.) Mr. Scime explained that InDOT can now use the money in the Industrial Rail Service fund for infrastructure, while in the past it could only be used for the rehabilitation of track.

(4) Update on Federal rulemaking regarding whistle ban ordinances.

Mike Scime explained that in 1994 Congress asked the Federal Railroad Administration to promulgate rules regarding local whistle bans within two years. The final rule has still not been issued. In the meantime, state law allows local units to apply to InDOT for an ordinance banning train whistles. In reviewing these requests, InDOT follows the guidelines contained in the proposed Federal rule. Mr. Scime explained that the whistle ban question requires a balance between public convenience and public safety. He indicated that a study revealed that when train whistles were banned, accidents increased by 68%. He added that InDOT is looking at installing four quadrant gates to increase safety at crossings where a whistle ban ordinance is in effect.

Bill Verdeyen, Brotherhood of Locomotive Engineers, said he supports whistle bans if gates, lights, median barriers, or other measures are installed to prevent people from going

around gates. In addition, people in Indiana need to change their attitude about driving around railroad crossing gates. He supports increased fines and driver's license suspensions for driving around a railroad crossing gate.

The Committee set the next meeting for October 18 at 1:30 p.m. Tom Fruechtenicht, Fruechtenicht and Barnett, indicated that he would like to be put on the agenda for the next meeting to discuss the problem of utilities installing utility lines under the roadways without informing the railroads. The meeting adjourned at 3:00 p.m.